

Amendments to the Drawings

The Examiner objected to the drawings because Figure 1b is indistinct and not readable. A corrected drawing sheet in compliance with 37 CFR 1.121 (d) showing a clear image for Figure 1b is submitted with this reply to the Office Action (please see the last page of this submittal). The amended replacement drawing sheet includes all of the figures (namely, Figure 1a and Figure 1b) appearing on the immediate prior version of the sheet, even though only one figure (Figure 1b) is being amended. The drawing sheet submitted is labeled in the top margin as "Replacement Sheet" pursuant to 37 CFR 1.121 (d). Applicants submit that the drawings are now compliant.

REMARKS

Claims 1-17 and 26-33 are pending in the application. Claims 18-25 were previously canceled. Claims 1-5 and 26-33 were rejected.

Allowable Subject Matter

The Examiner objected to Claims 6-12 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The Examiner allowed Claims 13-17. The Examiner found no prior art wherein a macromer includes silane units, units derived from an unsaturated diacid having a carbon-carbon double bond, and units derived from a saturated diacid.

Claim Amendments

In this Amendment, Claims 1, 2 and 5 have been canceled.

Claims 6-12 were objected to as being dependent upon a rejected base claim, but have been rewritten in independent form including all of the limitations of the base claim and the intervening claims. Claims 6-12 are now submitted to be allowable.

Claim 3 has been amended to be dependent on currently amended Claim 6 which has been rewritten to be allowable. Therefore, currently amended Claim 3 and original Claim 4 (which depends on Claim 3) are also submitted to be allowable since they add further limitations to, and depend on, currently amended Claim 6 which is now allowable. Therefore, Claims 3 and 4 are also submitted to now be allowable.

Claim 26 has been amended to include the limitations of allowable Claim 6, as amended. Claims 28-30 depend directly or indirectly from Claim 26.

Claim 31 has been amended to include the limitations of allowable Claim 6, as amended. Claims 32-33 depend directly or indirectly from Claim 31.

These amendments (adding the limitations of allowable Claim 6 into independent Claims 26 and 31) now make Claims 26 and its dependent Claims 27-30 allowable as well as independent Claim 31 and its dependent Claims 32-33 likewise allowable.

As a result of the above amendments, Claims 3-4 and 6-12 are now allowable; Claims 13-17 have already been allowed by the Examiner; and Claims 26-33 are now in condition for allowance. Applicants respectfully urge the Examiner to issue a Notice of Allowance of this application indicating Claims 3, 4, 6-17 and 26-33 as allowed.

The following remarks in response to the art rejections are respectfully provided to clarify the subject matter claimed by the present invention and to patentably distinguish the claims from the cited references.

Art Rejections


Claims 1, 2, 3, 4, 5, 26, 29 and 30 were rejected under 35 U.S.C. 102(b) as being anticipated by Bajpai U.S. Patent 4,668,295 ("Bajpai"). Claims 1, 2, and 5 have been canceled. Applicants respectfully submit that the above claim amendments place Claims 3, 4, 29 and 30 in condition for allowance since they now incorporate the limitations of Claim 6, as amended, which was deemed allowable by the Examiner, and the Examiner has not found the limitations of Claim 6 to be anticipated by Bajpai.

Claims 27-28, 31-33 were rejected under 35 U.S.C. 103(a) as being unpatentable over Bajpai as applied to claims 1, 2, 3, 4, 5, 26, 29, 30 above, and further in view of Gerhart et al U.S. Patent 5,085,861 ("Gerhart").

Applicants respectfully submit that the above claim amendments also place Claims 27-28 and 31-33 in condition for allowance since they now incorporate the limitations of Claim 6, as amended, which was deemed allowable by the Examiner. The Examiner has not found the limitations of Claim 6 to be anticipated by Bajpai or obvious in view of Bajpai with Gerhart.

Conclusion

Claims 3-4, 6-17 and 26-33 are now submitted to be allowable. Applicants respectfully urge the Examiner to issue a Notice of Allowance of this application indicating Claims 3, 4, 6-17 and 26-33 as allowed and the drawings as amended are compliant. No fee is believed to be needed for this amendment.


Daniel L. Pollmann
1507 West Parkside Lane
Phoenix, AZ 85027
Reg. No.: 38,996
623.780.9988

12/23/08
Date